

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WAYNE WALKER, SAYED KHALIL,  
and BRIAN LAHOFF,

Plaintiffs,

**-against-**

THE ORIGINAL HOMESTEAD RESTAURANT,  
INC., d/b/a OLD HOMESTEAD, GREGORY  
SHERRY, MARC SHERRY, and LUIS ACOSTA,

**Defendants.**

08 Civ. 6117 (LTS) (DFE)

# AFFIDAVIT OF SERVICE

ECF CASE

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NEW YORK)

**SARA MAKLER, being duly sworn, deposes and says:**

I am over 18 years of age, reside in Staten Island, New York, and am not a party to this action.

On July 15, 2008, I served the SUMMONS AND COMPLAINT in this case on defendants The Original Homestead Restaurant, Inc., d/b/a/ Old Homestead, Gregory Sherry, Marc Sherry, and Luis Acosta, by delivering a copy of such papers by hand to the following designated attorney for defendants who accepted service on behalf of defendants:

Joel E. Cohen, Esq.  
McDermott Will & Emery LLP  
340 Madison Avenue  
New York, NY 10173-1922  
(212) 547-5400  
*Attorneys for Defendants*

Sara Makler

Sworn to before me this  
14th day of July 2008

NOTARY PUBLIC

LOUIS PECHMAN  
Notary Public, State of New York  
No. 02PE5079601  
Qualified in Nassau County  
Commission Expires June 9, 2011